



# U.S. House of Representatives Committee on the Judiciary F. James Sensenbrenner, Jr., Chairman

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## ***News Advisory***

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## **Sensenbrenner Highlights PATRIOT Act Conference Report Civil Liberty Safeguard #17**

WASHINGTON, D.C. – House Judiciary Committee Chairman F. James Sensenbrenner, Jr. (R-Wis.) today highlighted another one of the dozens of civil liberties safeguards included in the PATRIOT Act conference report approved last month by a bipartisan majority of the House and pending before the U.S. Senate.

### **PATRIOT Act Conference Report Civil Liberty Safeguard #17 – Narrowing the Deference Given to the Justice Department on a National Security Letter (NSL) Nondisclosure Certification:**

The PATRIOT Act conference report provides greater judicial discretion by narrowing the deference given to certifications by the Justice Department on NSL nondisclosure requirements. Like the Senate-passed version, the conference report provides an additional level of deference if an NSL nondisclosure certification is made on the grounds that disclosure may endanger national security or diplomatic relations. **At the request of Senator Leahy, this heightened degree of deference is only provided to certifications made by a few Senate-confirmed officials at the time the nondisclosure petition is filed.** This civil liberty safeguard contained in the conference report does not exist under current law.

Originally created by a Democrat-led Congress and signed into law by President Carter, NSLs are a long-standing tool by which the FBI and other appropriate federal law enforcement officials request, for sensitive foreign spying or international terrorism investigations, subscriber information and toll billing records of a wire or electronic communication service provider, such as a phone company or AOL.

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